

**Conservation Commission Minutes 3/24/2021  
7:00 PM**

Present:

Commission Members: Chairman John Sullivan, Tim Holiner, Amey Moot, Sarah Monaco, David Stapleton, Christy Violin. Absent: Jim McLaughlin

Consultant Agent to the Commission: Janet Bowser

Applicants/Representatives: Mark Cooperman, EcoTerra Design, Joyce Hastings, GLM Engineering, Gerry Clarke, Board of Health

**Minutes**

11/18/20-Motion made to accept the minutes of 11/18/20 with changes. Roll call vote: Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes

01/14/21-Tabled to 4/14/21

01/27/20-Motion made to accept the minutes of 01/27/20 with changes. Roll call vote: Sarah-Yes, Amey-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes

**Notice of Intent**

144-858 5 Conrick Ln., Paster, EcoTerra Design, Mark Cooperman-deck & pool fence  
Having been duly published, the hearing was opened for 5 Conrick Ln. Present for the applicant was Mark Cooperman of EcoTerra Design. He showed the revised plan and discussed 2 changes to include adding the orange construction fence and adding the proposed drywell to the plan based on Agent Bowser's comments. Agent Bowser stated that she had conducted a site inspection to confirm existing conditions and to review the proposed project. She stated that the wetlands delineation on the submitted site plan was completed in 2015 and is out of date and an updated delineation would normally be required, however, the Applicant has requested that a new delineation not be required due to the limited scope of this project and its approximate distance from the wetlands. Agent Bowser stated that in response to this request, she is recommending that the following statement be added to the site plan and as an OOC Special Condition: "The Applicant acknowledges that the 2015 wetlands delineation shown on the submitted site plan dated March 1, 2021 and stamped by Richard Grady, P.E., is out of date and as a result, the Applicant is not requesting the Conservation Commission's review or approval of the delineation as part of the March 2021 NOI Application. The Applicant acknowledges that any future work on the property that is in close proximity to the 150 foot wetland buffer zone and/or the 200 foot Riverfront Area will require a new wetlands delineation as part of a new wetlands permit application." Mr. Cooperman requested that no bounds or signage be required because the Commission is not approving the delineation, therefore no bounds/signage should be required. The Commission agreed. Motion made to close the hearing. Roll call vote: Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes. Motion made to approve the Notice of Intent according to the plan with the exception of the requirement for signs and bounds. Special conditions from Agent Bowser memo shall be added to the Order of Conditions. Roll call vote: Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes

**Request to Amend Existing Order of Conditions**

144-846 4 Juniper Ln., Hartman, Septic field replacement- GLM Engineering  
Having been duly published, the hearing was opened for 4 Juniper Lane Amendment #2. Present for the applicant was Joyce Hastings of GLM Engineering. She described the plan

dated 3/1/21. She addressed Agent Bowser's comment memo and provided a construction sequence narrative. She said the access request is impossible and requested it remain the same. Agent Bowser stated that she had conducted a site inspection to confirm existing conditions and to review the proposed project. Stockpiling and site constraints were also discussed. It was agreed to by the Commission that due to site constraints access could remain the same as proposed and stockpiling within the 100'-150' wetland buffer zone would be allowed without permission from the Agent. Any stockpiling proposed inside the 100' buffer would require Agent permission. Motion made to close the hearing. Roll call vote: Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes. Motion made to issue the Amendment to 4 Juniper Lane with the following:

-Orange construction fence

-150' buffer zone shown on plan

-No stockpiling within the 100' buffer zone unless permission from Agent.

Roll call vote: Amey-Yes, Sarah-Yes, Tim-Yes, Christy-Yes, Dave-Yes, John-Yes

Joyce will provide a revised plan for 4 Juniper Ln.

### **Discussion**

#### 4 Riverside Dr., Abry and Greg Testa, Hurley Testa Construction

Present were Alexandra Abry, owner and Greg Testa, builder to discuss 4 Riverside Drive. The owner has an approved Order of Conditions(OOC) DEP#144-850 issued 9/9/20. Due to problems with the existing structure, the builder is not able to construct the addition according to the approved plan. No work has begun under the OOC. Greg discussed the possibility of either amending the existing OOC or closing it out and filing a new Notice of Intent(NOI) for demolition and a new house. Since the approved OOC issued on 9/9/20, the buffer and setback zones have increased under the Dover Rules and Regulations. There was discussion about grandfathering a new NOI. The Commission will consider the homeowner's situation and also consider not requiring waivers or waiver fees. The Commission agreed the best way to proceed would be to file a Request for Certificate of Compliance for no work done on DEP#144-850 and file a new NOI. This could be done at the same meeting with a joint submittal of forms.

### **Correspondence**

#### Mass Horticultural Society

The office received an email inquiry asking if a Commission member would like to meet a Mass Horticultural Representative for an informal site visit of the grounds to discuss shared objectives. Tim Holiner agreed to visit the site on behalf of the Commission.

### **Agent's Report**

#### Review draft memo to ZBA re: Red Robin 40B

Agent Bowser is drafting a comment memo due by April to the ZBA addressing wetlands issues for the Red Robin 40B filing. Note: ZBA is meeting tomorrow evening, March 25<sup>th</sup>.

Gerry Clarke, Board of Health (BOH) spoke about a Westwood study and the effect of Draper Rd. wells. He also spoke about a need for a septic design. He said the BOH has concerns about the parking area and trash containment. An Elgin system was discussed.

#### Natick Dam

Agent Bowser responded to a Commissioner question re the Natick Dam Project. She said it is on hold due to lack of grant funds. They are now working on a Feasibility Study to remove or retrofit the dam. She will keep the Commission updated on the status of this project.

#### Wylde Woods

Amey Moot discussed certification of Potential Vernal Pools (PVP's) in Wylde Woods. The Commission discussed budgetary issues and the fact that the PVP's are already protected. It was discussed that the certification would offer further protection. The Chair said he would work with the Conservation office to get the PVP's certified this year.

Motion made and seconded to adjourn at 9 PM. Roll call vote: Tim-Yes, Sarah-Yes, Amey-Yes, Christy-Yes, Jim-Yes, John-Yes.

**Documents:**

5 Conrick Ln. rev. plan dated 3/24/21

4 Juniper Ln. rev. plan dated 3/1/21

4 Riverside Dr. final approved plan DEP#144-850 dated 8/10/20

Agent Bowser comment memo dated 3/21/21